

**Community Corrections Council
December 12, 2003**

The Community Corrections Council of the Nebraska Commission on Law Enforcement and Criminal Justice met Friday, December 12, 2003, at 9:00 a.m., in room 1113 of the Nebraska State Capitol Building, Lincoln, Nebraska. Notice of the meeting was published November 28, 2003 in the Lincoln Journal Star.

Call to Order

The meeting was called to order at 9:00 by Chairman Brashear. Those in attendance: Scot Adams, Ed Birkel, Kermit Brashear, William Burgess, Catherine Cook, Harold Clarke, Allen Curtis, Karen Flowers, Aileen Gruendel, John Icenogle, Julie Hippen, Joe Kelly, Linda Krutz, Robert Lindemeier, Jim McKenzie, John Synowiecki, and Ken Vampola. Joe Steele was excused. Also in attendance were Jim Jones, OASIS; Howard Kensinger, Legislative Fiscal Council; Steve King, Department of Corrections; John Krejci, NCJR; David Staenberg, Wolf House, Lincoln; Marlys Sanders, Family and Friends of Inmates Support Group; Julie Rogers, Community Corrections Council; and Barbara McCreight, Crime Commission.

Vera Institute of Justice associates Robert Lee Guy, Director, Division of Community Corrections, North Carolina; Sharon Neumann, Regional Administrator, Community Sentencing Division, Oklahoma Department of Corrections; and Daniel F. Wilhelm, Director, State Sentencing and Corrections Programs, Vera Institute of Justice; were introduced to the Council.

Approval of Minutes

An amendment was offered to the abridged version of the minutes which would add the established quorum.

Motion

A motion was made by Cook and seconded by Clarke to adopt the abridged version of the November 7, 2003 minutes of the Community Corrections Council meeting as amended. Motion carried unanimously by acclamation.

Administration of Community Corrections Overview

Daniel Wilhelm, Director, State Sentencing and Corrections Program for the Vera Institute of Justice, reviewed the history of Vera and the movement towards community corrections. He noted Nebraska has taken the lead by assembling key constituents to develop a rational public policy of community corrections that reflects its laws, politics and culture. Adequate funding support of any legislative effort is essential.

Oklahoma Community Corrections Model

Sharon Neumann, Regional Administrator for Community Sentencing, Oklahoma Department of Corrections, presented information on the Oklahoma Community Sentencing Act. Neumann summarized three advantages of the Oklahoma community sentencing program:

1. Contracting by the Community Sentencing Division on behalf of the planning councils lightens the burden for local systems and ensures availability of services.
2. Establishing a specific entity with adequate staffing provides quality control through assistance and oversight.
3. The optional nature of the program encouraged initial buy-in from the judges and prosecutors.

The following three disadvantages of the Oklahoma program were identified:

1. Failure to identify a community sentence as a special type of sentence causes confusion.
2. Optional county participation in the program has created a need to solicit participation.
3. Optional ordering of community sentence by the court makes it difficult to determine actual diversions from prison.

Neumann took questions from the Council and reviewed important components the Council will need to work through.

Break - A ten minute break was taken at 10:30 a.m.

North Carolina Community Corrections Model

Robert Lee Guy, Director, North Carolina Division of Community Corrections, distributed copies of North Carolina 1993 - 2003 "The Evolution of Community Corrections - A Decade of Change". North Carolina's circumstances and strategy in approaching community corrections were outlined. Their sentencing grid policy and intermediate strategies were reviewed. The state's violation philosophy and offender management model were discussed. It was noted that intensive supervision has moved from a law enforcement mentality to a treatment mode. The costs and benefits of a program that balances control and treatment were highlighted.

Guy took questions from the Council and summarized Nebraska's next steps. He stated a community corrections program without a treatment component would not be successful. It was suggested that the Council develop a new case management strategy that would not require automatic revocation for violations. The need to offer different training packages to the legislators, judges, prosecutors, and law and correctional officers was noted.

Nebraska Probation and Parole Systems

Ed Birkel, Probation Administration, and Jim McKenzie, Parole Administration, presented an overview of their departments' functions, responsibilities and budgets.

Lunch

At 12:30 p.m., lunches were distributed as members continued discussions with the Vera representatives. The business meeting resumed at 1:10 p.m.

Community Corrections Uniform Crime Data Analysis System Update

Allen Curtis and Michael Overton, Crime Commission, reviewed three stages in the development of a data analysis system for community corrections.

1. Data is available which will provide most of the information mandated by LB 46.
2. The next stage is to describe the flow of the population through the criminal justice cycle. This will provide a snapshot of activity in various systems.
3. The last stage will allow detailed tracking and individual based flow at the various stages. This will provide a basis for model building and linkages between systems.

Data on mental health needs will be available through probation/parole data. It was noted criminal justice entities are exempt from the HIPPA requirements.

Community Corrections Plan Discussion

Joe Kelly stepped out of the meeting.

The Council considered a draft copy of the Nebraska Community Corrections Council Plan and Standards dated December 2003. The plan addresses the statutory requirements and will be presented to the Legislature by the January, 2004 deadline. The plan will continue to evolve and be subject to changes and adoption at each meeting.

Motion

A motion was made by Clarke and seconded by Adams to adopt the Nebraska Community Corrections Council Plan and Standards dated December 2003, under the review method outlined.

Amendment to Motion

An amendment to the motion was offered by Burgess to strike the phrase for whom imprisonment is inappropriate from item 4 of page 6. The motion died for lack of a second.

Voting in favor of the motion to adopt the Nebraska Community Corrections Council Plan and Standards dated December 2003, under the review method outlined: Adams, Burgess, Cook, Clarke, Curtis, Gruendel, Hippen, Lindemeier, McKenzie, and Vampola. Motion carried unanimously.

It was noted the Council is not far enough along in the development process to draft legislative proposals.

Standards for adult probation and parole and for electronic monitoring will be made part of future agendas.

Kelly returned to the meeting.

It was noted with the adoption of the draft plan, the Council had adopted the Oklahoma plan without a provision for independent supervision. Supervision still lies with parole and probation and as it reads, this would be a condition of probation.

Brashear stated the Council will prioritize how to work through the plan which would include substantive debate with regard to each section of the plan.

Concluding Remarks and Adjournment

The meeting scheduled for January 16, 2004 was canceled. The next meeting of the Council will be **Friday, February 13, 2004 at 9:00 a.m.** The agenda will include scheduling meeting dates for the balance of 2004.

Vera Contract

Motion

A motion was made by Adams and seconded by Clarke to authorize the Crime Commission, on behalf of the Chair and staff of the Community Corrections Council, to enter into negotiations for a contract with the Vera Institute of Justice for the continuing rendition of services to the Community Corrections Council. Voting in favor of the motion: Adams, Burgess, Cook, Clarke, Curtis, Gruendel, Hippen, Kelly, Lindemeier, McKenzie, and Vampola. Motion carried unanimously.

Brashear thanked the Vera representatives for their presentations.

There being no further business, the meeting adjourned at 2:30 p.m.

Respectfully submitted,

Barbara McCreight
Administrative Assistant